**THE HONOURABLE SRI JUSTICE V. ESWARAIAH**

**WRIT PETITION No.11290 OF 2006**

**DATED: 09-04-2007**

**BETWEEN**

J. Seetha Ramaiah,
S/o. Late Punnaiah,
R/o. D.No.24-59/1,
West Ibrahimpatanam,
Vijayawada Rural Mandal,
Krishna District.

...PETITIONER

**AND**

The State of Andhra Pradesh.
Rep. by its Commissioner of Police,
Vijayawada and another.

...RESPONDENTS

**ORDER:**

Petitioner seeks a Writ of Mandamus to declare the action of the respondents in continuing rowdy sheet proceedings against him contrary to Andhra Pradesh Police Standing Order 742 as illegal and arbitrary.

2. The second respondent filed a counter stating that no doubt the petitioner was acquitted in connection with Cr.Nos.130, 232 and 233 of 1990; Cr.No.121 of 1991 and Cr.No.69 of 1998 but insofar as Cr.No.185 of 2006 under Section 107 of the Code of Criminal Procedure, 1973, is concerned, the petitioner was bound over and produced before the Mandal Executive Magistrate, Ibrahimpatnam and he was convicted vide M.C.No.2 of 2006 dated 24.06.2006.

Therefore, the rowdy sheet opened against the petitioner vide C.No.1185/ACP.Dn.I/98 dated 24.04.1998 is being continued and reviewed

from time to time and stands extended up to 31.12.2007.

3. A rowdy sheet can opened in respect of persons who are bound over under Section 107 Cr.P.C. as per Standing Order 601 of the Andhra Pradesh Police Manual, Part – I, Volume II and that rowdy sheet, which is opened, can also be continued under order 602-2 by the DCP, if he is of the view that the activities of such rowdy sheeter is prejudicial to the maintenance of public order or one affecting peace and tranquility in the area or the victims are not coming forward to give complaint against him on account of threat from him.

4. The respondents further submit that petitioner is young and energetic and well known to the public on account of his anti-social activities; he frequently involves himself in civil settlements and for those settlements he used to threaten people and people are very much scared of him, though he is continuing his illegal activities, nobody is coming forward to prefer complaint against him. Unless a close watch is kept on his activities, there is every likelihood of the petitioner creating breach of peace, which ultimately results in law and order problems. In order to curb his criminal activities and to keep a watchful eye on his activities and shady movements, a rowdy sheet was opened against him in Ibrahimpatnam Police Station as he is residing within the said police station limits, in terms of the standing Order No. 601(A). It is further stated that the Assistant Commissioner of Police, West Zone, Vijayawada passed order in Dis.No.800/ACP-WZ/2007 dated 13.03.2007 that in pursuance of the current doings of the petitioner and to have a close watch on his activities, the rowdy sheet shall be retained till 31.12.2007.

5. In view of the aforesaid order, I am of the opinion that unless the petitioner questions the legality and validity of the said order dated 13.03.2007; the petitioner is not entitled for any relief of discontinuing the rowdy sheet opened against him. As admittedly, the petitioner was bound over under Section 107 Cr.P.C., which is a valid ground to open a rowdy

sheet under standing order 601 and which can be continued under standing order 602-2, I do not see any illegality or irregularity on the part of the respondents in continuing the rowdy sheet against the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

April 9, 2007
DSK